

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
11020 Sun Center Drive #200, Rancho Cordova, CA 95670

NOTICE OF PUBLIC HEARING
concerning

**TENTATIVE CEASE AND DESIST ORDER
(NPDES NO. CA0085197)**

For

**STERLING CAVIAR LLC.
ELVERTA FACILITY
SACRAMENTO COUNTY**

Sterling Caviar LLC owns and operates the aquaculture facility, Sterling Caviar LLC, Elverta (Facility), which is defined under the NPDES program as a concentrated aquatic animal production (CAAP) facility. The treated wastewater is discharged to the Betts-Kismat-Silva (BKS) Preserve wetlands, operated by the Natomas Basin Conservancy within Reclamation District 1000. This area of Reclamation District 1000 is tributary to the Sacramento River, a water of the United States, via the Natomas Cross Canal and Natomas East Main Drainage Canal.

The 3.67 MGD discharge from the Facility is regulated by Waste Discharge Requirements Order R5-2007-0012 (NPDES Permit). The NPDES permit contains, in part, effluent limitations for nitrate, arsenic, and manganese, with which the Discharger was unable to immediately comply. Cease and Desist Order (CDO) R5-2007-0013-01 expires on 1 March 2015 and contains compliance schedules for these constituents. The Discharger has made diligent efforts to comply with the final effluent limitations and the Facility has been upgraded to meet the nitrate effluent limitations. However, the Facility is unable to comply with the arsenic and manganese effluent limitations. The Discharger has demonstrated that additional time is needed to comply. Therefore, a Cease and Desist Order is proposed allowing the extension of the time schedules for compliance with the arsenic and manganese final effluent limitations until 1 March 2017.

A public hearing concerning this item will be held during the Central Valley Water Board meeting scheduled for:

DATE: 16/17 April 2015
TIME: 8:30 a.m.
PLACE: Central Valley Regional Water Quality Control Board, Fresno Office
1685 "E" Street
Fresno, CA 93706

If this matter is considered at a public hearing, the designated party is as follows:

- Sterling Caviar LLC Representatives

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than **5:00 p.m. on 6 March 2015**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

Persons wishing to comment on this noticed hearing item shall submit testimony, evidence, if any, and/or comments to the Central Valley Water Board via email to **RB5S-NPDES-Comments@waterboards.ca.gov**, no later than 5:00 p.m. on **6 March 2015**. Written evidence or comments submitted after 5:00 p.m. on **6 March 2015** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. Any party requesting to submit late materials must demonstrate good cause for the late submission, and the Chair must find that accepting the late submission will not prejudice the Central Valley Water Board or any Designated Party.

All designated parties and interested persons may speak at the Central Valley Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

Anyone having questions regarding the hearing item should contact Dania Jimmerson at (916) 464-4742 or Dania.Jimmerson@waterboards.ca.gov. Interested parties may download the tentative Order and related documents from the Central Valley Water Board's Internet website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m. **The final meeting agenda will be available at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/ at least 10 days before the meeting. The agenda will provide the specific date the Board Meeting will be held for this item, indicate the anticipated order of all agenda items, and may include staff revisions to the proposed order(s).**

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/laws_regulations/. Information on meeting and hearing procedures is also available on the Central Valley Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original Signed by

ADAM W. LAPUTZ, Assistant Executive Officer

4 February 2015